



ESTABLISHED 1973

# Architectural Control Committee Plan and Specification Review Determination Exterior Painting Application

Architectural Control Committee approval includes esthetic feature only and does not imply or warrant any structural integrity. This approval is not based on an engineering review of the site plan or structure. Please note: You may need the City of Mill Creek's approval. (425) 745-1891.

For MCCA Use
<b>Submission Number</b> 13433
<b>Date Submitted</b> 5/30/17

## 1. Applicant Information

Name: James F. Martin

Phone: 425-357-5208

Address: 1715 163rd St. SE, Mill Creek, Wa.

## 2. Site Information

Division: Amberleigh

Lot Number: 26

## 3. Color (Please attach all color samples)

House: Siding-Down Home

Cobble Brown &

Trim: White

Door: Sable

Other:

NOTE: Although colors from any source may be submitted, a book of standard colors and combinations is available at the MCCA Office that may be useful, and may speed the approval process.

Pursuant to the provision of Article VIII, Paragraphs 8.1, 8.2 and 8.2.1, 8.2.2, 8.2.3, 8.3, 8.3.1, 8.3.2, and 8.3.3, and Article IX of the MILL CREEK DECLARATION OF COVENANTS, the following determination by the Architectural control Committee is hereby granted:

Approval subject to the following changes:

*FAIA BOARD Needs to Be white  
Along with Gutters*

Rejected for the following reasons:

(☒) Approve ( ) Reject

(☒) Approve ( ) Reject

( ) Approve ( ) Reject

(☒) Approve ( ) Reject

( ) Approve ( ) Reject

( ) Approve ( ) Reject

*John Erickson* Date: 5-29-17

Condominiums & Townhomes ACC or Board Approval

*[Signature]* Date: 5/30/17

MCCA Administration

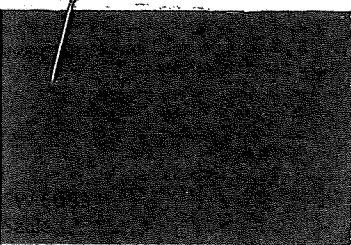
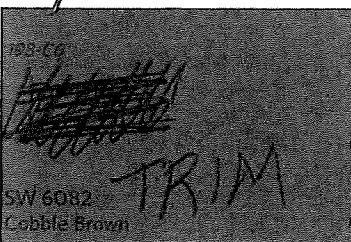
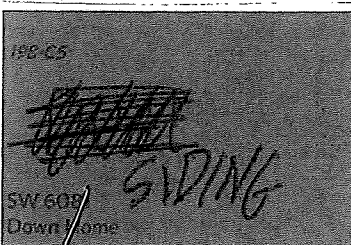
Date:

Chairman, Architectural Control Committee

*Michael Beaumont* Date: 5-29-17

Date:

Date:



Samples approximate the actual paint color.  
Las muestras son aproximaciones al color real de la pintura.

Application may be mailed to or dropped off at the MCCA Office at 15524 Country Club Drive.



# Mill Creek

## COMMUNITY ASSOCIATION

ESTABLISHED 1973

### Architectural Control Committee Plan and Specification Review Determination Tree Trimming / Removal Application (Page 1 of 3)

MCCA requires the replacement of trees as follows: "In cases of approved removal, the Association requires replacement on a 1-1 ratio with 8-10 foot tree; unapproved removal will require replacement on a 2-1 ratio with 8-10 foot tree; Replacements are to be planted on private property or other locations determined by ACC. Removal of native evergreens will require replacement with native evergreens. You may need the City of Mill Creek's approval. (425) 745-1891.

For MCCA Use
Submittal Number
Date Submitted
ACC Insp. Month
ACC Inspection
Inspection Notes

<b>1. Applicant Information</b>	
Name: James F. Martin	Phone: 425-357-5208
Address: 1715 163rd St. SE, Mill Creek	
<b>2. Site Information</b>	
Division: Amberleigh	Lot Number: 26
Site Address: above	
<b>3. Type of Area Where Cutting is Proposed</b>	
Street Right-of-Way:	Park or Common Area:
Cutting Preserve:	Personal Property: Front yard
<b>4. Reason for Proposed Cutting</b>	
Describe: Tree is leaning towards the street and may be dangerous as a result. Also, there is concern over roots causing damage to plumbing, drainage and home foundation.	
<b>5. Sketch of Proposed Tree Cutting Area</b> - see page 2	

Pursuant to the provision of Article VIII, Paragraphs 8.1, 8.2 and 8.2.1, 8.2.2, 8.2.3, 8.3, 8.3.1, 8.3.2, and 8.3.3, and Article IX of the MILL CREEK DECLARATION OF COVENANTS, the following determination by the Architectural Control Committee is hereby granted:

Approval subject to the following changes:  
 ① TREE REMOVAL & STUMP GRIND  
 ② HOME OWNER EXPENSE, ALSO  
 CITY PERMIT TO REMOVE  
 TREE REQUIRED  
 ③ REPLACEMENT TREE WILL BE PAID  
 FOR BY HOA.

Rejected for the following reasons:

(☒) Approve ( ) Reject  
 (☒) Approve ( ) Reject  
 (☒) Approve ( ) Reject  
 ( ) Approve ( ) Reject  
 ( ) Approve ( ) Reject  
 ( ) Approve ( ) Reject

Date: 11-6-07  
 Condominiums & Townhomes ACC or Board Approval  
 Michael Beaumont Date: 11-7-07  
 MCCA Administration  
 Date:  
 Chairman, Architectural Control Committee  
 Date:  
 Date:  
 Date:

Application may be mailed to or dropped off at the MCCA Office in the bottom floor of the John L. Scott Building at 15714 Country Club Drive.

11/07/07



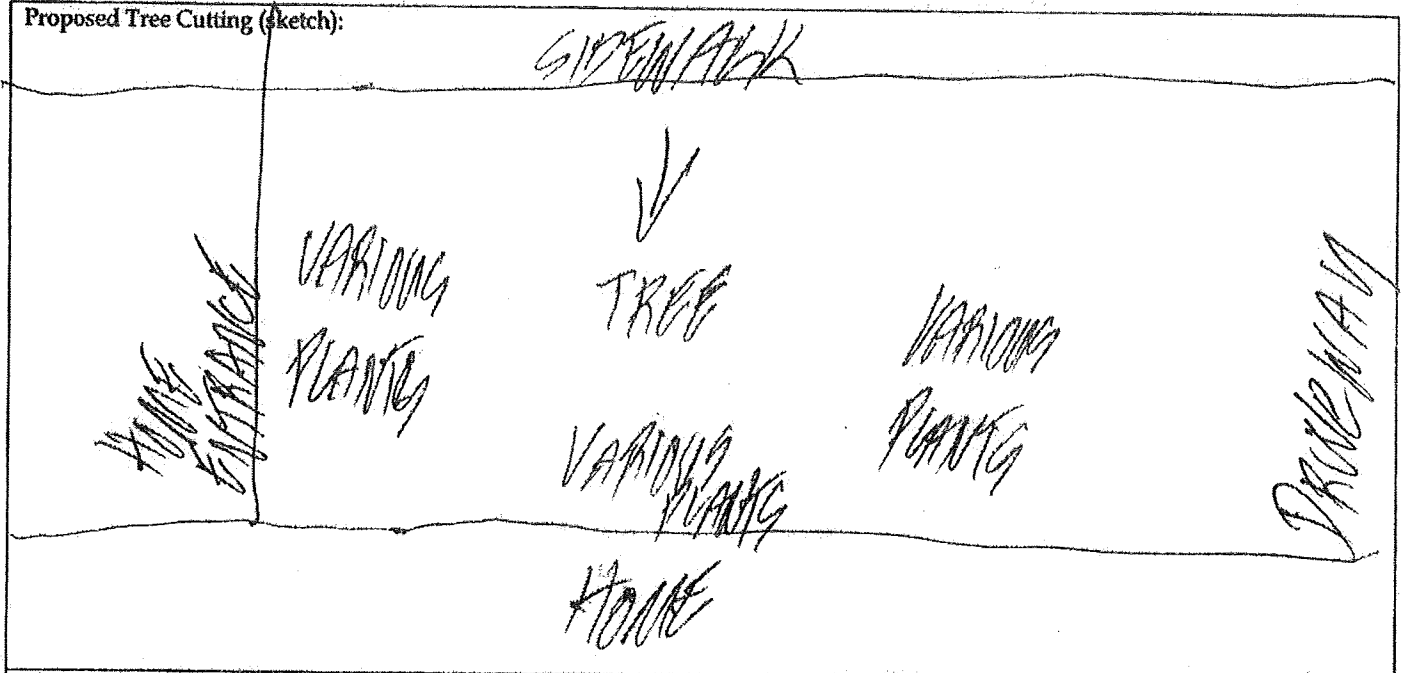
## COMMUNITY ASSOCIATION

ESTABLISHED 1973

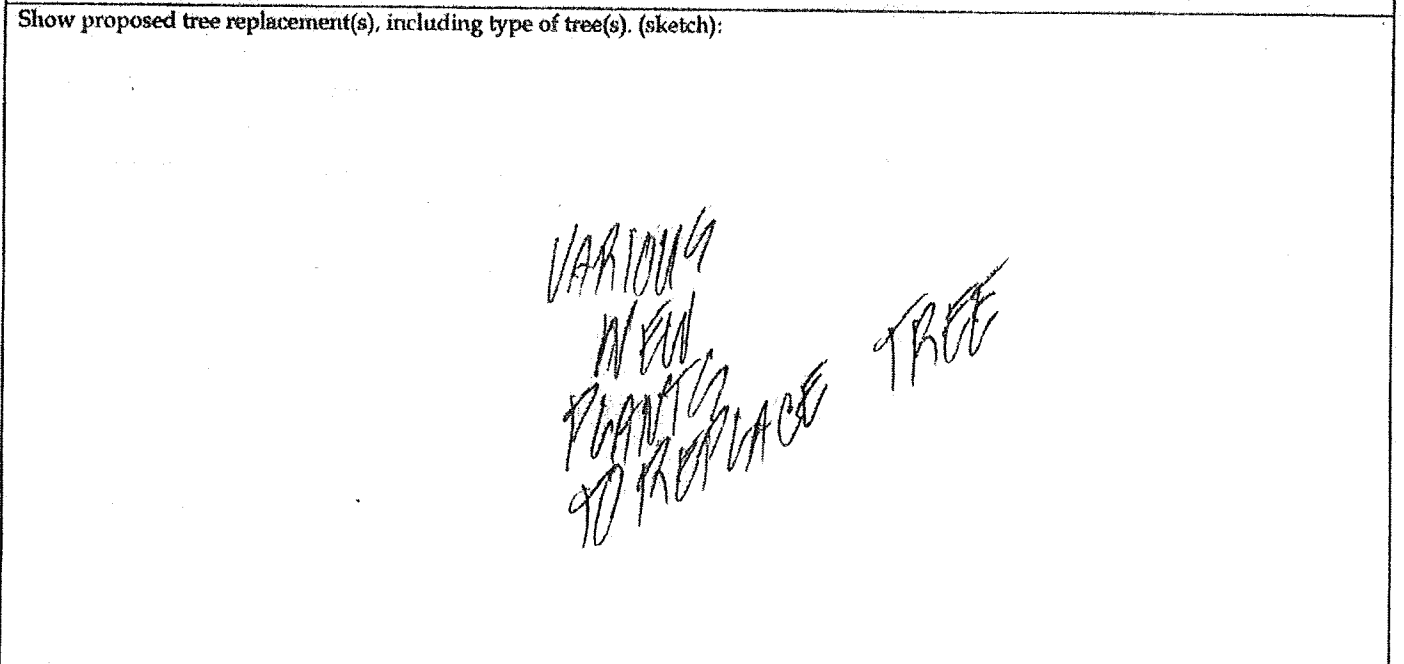
Architectural Control Committee  
Plan and Specification Review Determination  
Tree Trimming/Removal Application (Page 2 of 3)

IMPORTANT: Please include a sketch of the property below showing the exact location of the proposed tree(s) to be cut.

Proposed Tree Cutting (sketch):



Show proposed tree replacement(s), including type of tree(s). (sketch):



ACC Notes



# Architectural Control Committee Plan and Specification Review Determination Roofing Application

Architectural Control Committee approval includes esthetic feature only and does not imply or warrant any structural integrity. This approval is not based on an engineering review of the site plan or structure. **Please note:** You may need the City of Mill Creek's approval . (425) 745-1891.

For MCCA Use
Submittal Number
12334
Date Submitted
7/24/15

<b>1. Applicant Information</b>	
Name: James F. Martin	Phone: 425-357-5208
Address: 1715 163 <sup>rd</sup> st. se, Mill Creek, Wa.	
<b>2. Site Information</b>	
Division: Amberleigh	Lot Number: 26
Site Address:	
<b>3. Roofing Information</b>	
Manufacturer: Presidential	Type: TL
Color: <i>Autumn Black</i>	Contractor: Loberg Roofing

Pursuant to the provision of Article VIII, Paragraphs 8.1, 8.2 and 8.2.1, 8.2.2, 8.2.3, 8.3, 8.3.1, 8.3.2, and 8.3.3, and Article IX of the MILL CREEK DECLARATION OF COVENANTS, the following determination by the Architectural control Committee is hereby granted:

Approval subject to the following changes:

Attach any color samples here.

Rejected for the following reasons:

( ☒ ) Approve ( ) Reject

Approval

( ☒ ) Approve ( ) Reject

( ) Approve ( ) Reject

( ) Approve ( ) Reject

( ) Approve ( ) Reject

( ) Approve ( ) Reject

*[Signature]* Date: 7-24-15  
Condominiums & Townhomes ACC or Board

*[Signature]* Date: 7/24  
MCCA Administration

Date:  
Chairman, Architectural Control Committee

Date:

Date:

Date:

11/05/07

Application may be mailed to or dropped off at the MCCA Office in the bottom floor of the John L. Scott Building at 15714 Country Club Drive.



Architectural Control Committee  
 Plan and Specification Review Determination  
 Fence Application (Page 1 of 3)

Architectural Control Committee approval includes esthetic feature only and does not imply or warrant any structural integrity. This approval is not based on an engineering review of the site plan or structure. Please note: You may need the City of Mill Creek's approval. (425) 745-1891.

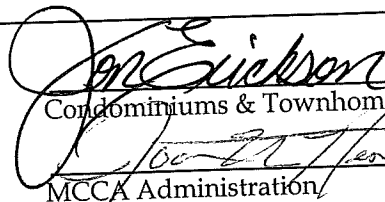
For MCCA Use
Submittal Number <div style="font-size: 1.2em; font-family: cursive;">11627</div>
Date Submitted <div style="font-size: 1.2em; font-family: cursive;">4/8/14</div>

Attach color samples here.

ACC Insp. Month
ACC Insp.
Inspection Notes

Application may be mailed to or dropped off at the MCCA Office in the bottom floor of the John L. Scott Building at 15714 Country Club Drive.

11/07/07

<b>1. Applicant Information</b>	
Name: James F. Martin	425-357-5208
Address: 1715 163rd St. SE, Mill Creek, Wa. 98012	
<b>2. Site Information</b>	
Division: Amberleigh	Lot Number: 26
Site Address: 1715 163rd St. SE	
<b>3. Fence Description</b>	
Style of Fence: Same as Original	
Type of Material: Western Red Cedar	
Color & Dimensions: Unstained to begin with/Staining later	
<b>4. Proposed Construction Drawings - see Page 2.</b>	
<p><small>According to the provision of Article VIII, Paragraphs 8.1, 8.2 and 8.2.1, 8.2.2, 8.2.3, 8.3, 8.3.1, 8.3.2, and 8.3.3, and Article IX of the MILL CREEK DECLARATION OF COVENANTS, the following determination by the Architectural control Committee is hereby granted:</small></p> <p>Approval subject to the following changes:</p>	
Rejected for the following reasons:	
<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Approve    <input type="checkbox"/> Reject  <input checked="" type="checkbox"/> Approve    <input type="checkbox"/> Reject  <input type="checkbox"/> Approve    <input type="checkbox"/> Reject  <input type="checkbox"/> Approve    <input type="checkbox"/> Reject  <input type="checkbox"/> Approve    <input type="checkbox"/> Reject  <input type="checkbox"/> Approve    <input type="checkbox"/> Reject         </div> <div style="text-align: right;"> <div style="font-size: 1.2em; font-family: cursive; margin-bottom: 10px;">  </div> <div style="margin-bottom: 10px;">             Date: <div style="font-size: 1.2em; font-family: cursive;">4-8-14</div> </div> <div style="margin-bottom: 10px;">             Date: <div style="font-size: 1.2em; font-family: cursive;">4/8/14</div> </div> </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div>             Condominiums &amp; Townhomes ACC or Board Approval              MCCA Administration           </div> <div>             Date: _____              Chairman, Architectural Control Committee              Date: _____              Date: _____              Date: _____           </div> </div>	



COMMUNITY ASSOCIATION

ESTABLISHED 1973

Architectural Control Committee  
Plan and Specification Review Determination  
*Fence Application* (Page 2 of 3)

IMPORTANT: Include a sketch of the proposed fencing describing location on the property, dimensions and style (see item #1 of "Basic Policy for Fence Construction" on page 3). Attach additional sheets if needed.

Proposed Construction Drawing  
(Property sketch):

*Attached*





Architectural Control Committee  
Plan and Specification Review Determination  
*Fence Application* (Page 3 of 3)

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*Basic Policy for Fence Construction*

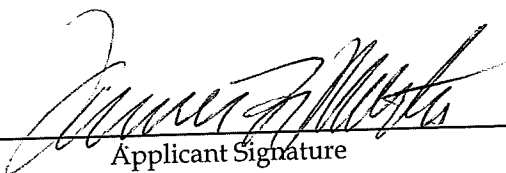
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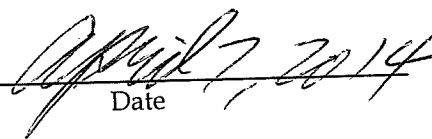
Fences are acceptable structures in Mill Creek, but must be constructed so as to maintain the integral character of the community and, pursuant to this concept, the following guidelines are hereby established by the Architectural Control Committee:

1. Prior to commencement and erection of any fence, a drawing of the design and specifications describing the type, shape, materials, height and color must be submitted, in duplicate, and approved in writing by the Committee. The detailed information must include the exact location of the fence in relation to the property boundaries and existing structures. It is the applicant's responsibility to locate and identify the property markers, both on the site and as submitted on the accompanying sketch.
2. **Fences will not be permitted in the following areas:**
  - 2.1. Front yard of any lot
  - 2.2. Rear yard of any Fairway lot except where enclosing a swimming pool.
  - 2.3. Cutting preserve area along Village Green Drive and Trillium Boulevard, except when enclosing a swimming pool.
  - 2.4. Any common property, or any portion thereof.
3. **General conditions for fencing:**
  - 3.1. Natural evergreen screening is encouraged. If natural screening is installed, temporary fencing may be approved if erected simultaneously with natural permanent planting.
  - 3.2. All fences shall harmonize with the existing or new landscaping. The Committee will consider, in addition, the harmony of external design and location in relation to topography and surrounding structures.
    - 3.2.1. Fencing is to be no higher than six feet as measured from average grade surrounding the fence.
    - 3.2.2. The finish shall be consistent with the material and color of the adjoining residence, except natural transparent stain may be used on cedar or redwood fencing.
    - 3.2.3. The finished side must face adjacent properties and streets.
    - 3.2.4. Chainlink and other similar products are strictly prohibited. (Article IX, Paragraph 9.1.10)
    - 3.2.5. All fences shall be maintained in a proper condition.

**Please Note:** Approved plans are subject to final inspection, if deemed necessary by the Committee. In case of changes, the plans must be resubmitted to the Committee. Any variance from presented plans may be subject to change or removal at the committee's discretion. Any construction without approval will result in a "Stop Work Order" being issued until such time as the property approval process has been complete.

This signature verifies that the applicant has reviewed the above policy, and agrees to abide by all guidelines and terms of approval set forth on the application attached. Signature also implies "Right of Entry" for members of the ACC for the purpose of plan review.

  
Applicant Signature

  
Date

- ☐ Owner Requests ACC Members Call Before Entering Property For Review (*discuss specifics of project, pet in yard, children at home alone, etc.*)

# Grow and Sons Fence Co

20613 Smokey Point Blvd  
Arlington, Wa. 98223 (360) 652-9900

4/3/2014  
Mike Sprague  
360.652.2461

Date 3-24-14

inlink  
guage  
Post  
Post  
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Type  
rd Size

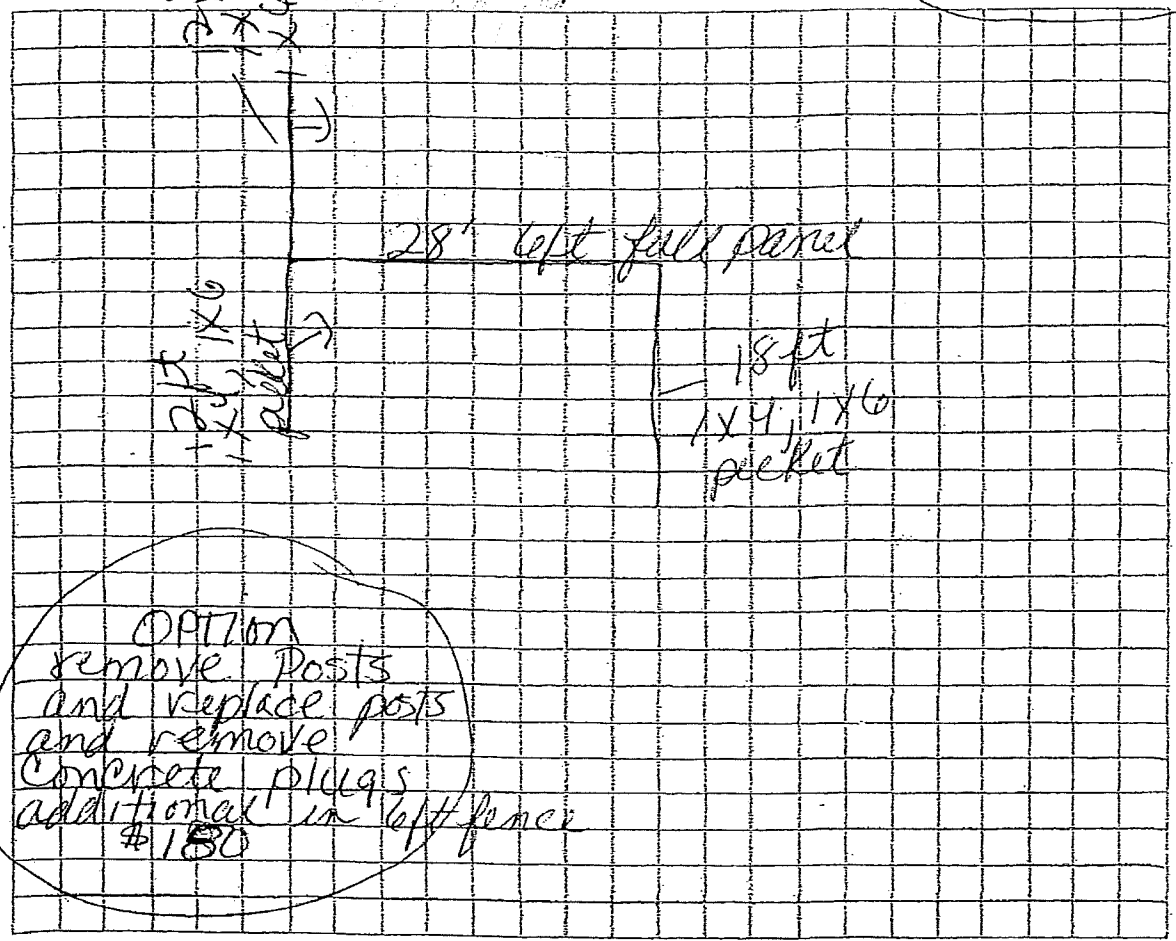
Jobsite  
Customer Mike Sprague  
Address 1723 163rd St SE Mill Creek  
Phone Number \_\_\_\_\_

Fence Style \_\_\_\_\_  
Total Footage \_\_\_\_\_  
Walk Gates \_\_\_\_\_  
Drive Gates \_\_\_\_\_  
Other \_\_\_\_\_  
Instructions \_\_\_\_\_

Price per Ft  
Gate & Acc

your  
TOTAL  
Sub Total 1034  
Tax 88.92  
Total 1122.92

Jim Martin Total  
204 70  
78  
322  
674  
57.96 tax  
731.96



132  
70  
510  
322

Accepted by \_\_\_\_\_

# Grow and Sons Fence Co

20613 Smokey Point Blvd  
Arlington, Wa. 98223 (360) 652-9900

Date 4-7-14

Jobsite

Customer

Address

Phone Number

Fence Style

Total Footage

Walk Gates

Drive Gates

Other

Instructions

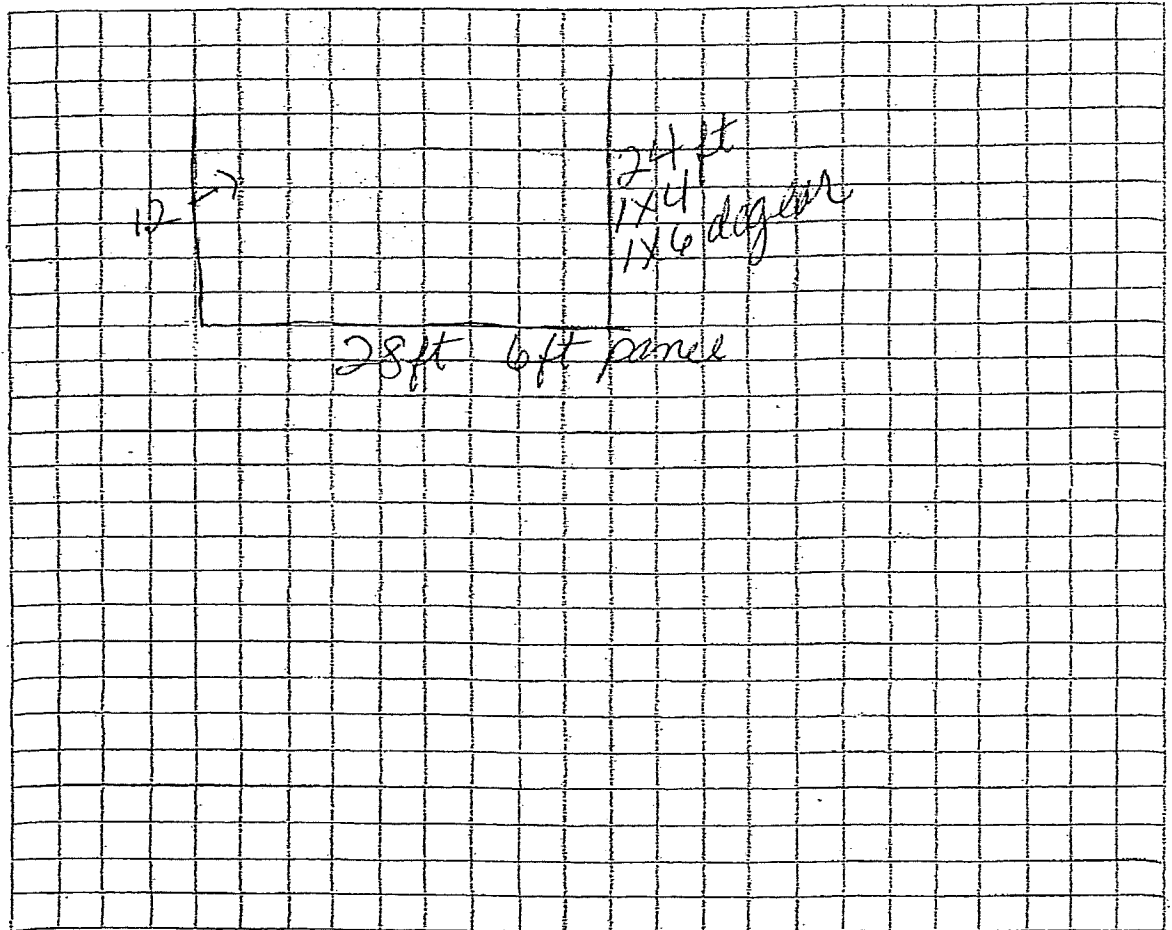
Price per Ft

Gate & Acc

Sub Total \$1072

Tax 92.14

Total 1164.14



612  
322  
78  
60

Accepted by \_\_\_\_\_



From: Seattlejimmie@aol.com  
Subject: Some questions  
Date: March 23, 2012 9:05:25 AM PDT  
To: mdbeaumont@me.com

Lot #26

Jim Martin

Hi Mike,

A couple of questions please:

1. I would like to replace some of those wood slats in my courtyard and maybe the driveway and front entry way. Are there any board recommended vendors that are pre-approved?
2. If you have a list for needed shrubbery, can you put the front of our place on the list?

Thanks, Jim



AMBERLEIGH HOMEOWNERS' ASSOCIATION  
c/o 16326 – 17<sup>th</sup> Ave. S. E.  
Mill Creek, WA 98012  
Tel: (425) 338-2242

July 21, 2008

Jim Martin  
Lot 26  
1715 – 163<sup>rd</sup> St. S.E.  
Mill Creek, WA 98012

**Re: Proposal to plant screening plants between driveways**


Dear Jim:

At the last Amberleigh Directors' meeting several homeowner inquiries were discussed, including yours. Mike Beaumont reported that you were annoyed about your neighbor's parking of a vehicle on her driveway, and you inquired if the HOA would approve of a plan to plant some taller plants in the small planting strip between the two driveways – to provide screening from the perspective of your lot.

Your neighbor, like all homeowners, is entitled to park vehicles on her driveway (except for a few exceptions – MCCA §7.1.4). The Directors feel that tall plantings between driveways (tall enough to screen vehicles) would be un-sightly, i.e. such tall screens would detract from an open appearance, and that look would not be consistent with other similar driveway plantings. The Directors would not approve such a plan.

Very Truly Yours,

Amberleigh Homeowners' Association

By:   
Robert P. Williamson, Secretary





Amberleigh Homeowners' Association  
c/o Bob Williamson, Secretary  
16326 - 17<sup>th</sup> Ave. S.E.  
Mill Creek, WA 98012

September 20, 2008

Jim Martin

Lot 26

1715 - 163<sup>rd</sup> St. S.E.

Mill Creek, WA 98012

**Re: Complaint re: Truck Parking & Planting Request Denial**

Dear Jim:

The Amberleigh Directors received your letter dated 9/16/08 requesting a reconsideration of our earlier denial of your request to have taller plants placed into the planter zone between your driveway and the driveway next door. We have reconsidered the issues you addressed. There are several distinct questions you raised, and I will address each one separately.

Amberleigh's Role Re: Car Parking. It is important for you to recognize that Amberleigh is an association created with limited powers. Homeowners reserve to themselves all property rights, except those that are specifically relinquished by a binding covenant. Our CCRs define the limits of the subjects that are within the scope of our own HOA's sphere of control or regulation. Our Amberleigh CCRs do not establish any use restrictions that pertain to the parking of cars on driveways<sup>1</sup>. This means that Amberleigh has zero authority to tell any Amberleigh homeowner what uses he can or can not make of his own private driveway, whether we like it or not. In other words, each Amberleigh homeowner has the right and privilege to use his private driveway any way he wants (unless some other restriction comes into play). For example, he is free to park vehicles on his driveway, regardless of how large or unsightly they may be. Amberleigh has no rules that can conceivably provide a basis for the Amberleigh HOA or any homeowner to seek to interfere with that homeowner's right. Your complaint addressed to Amberleigh is, therefore, a little out of place. The issue is none of our business. It is for this reason that we previously advised you that this is, for Amberleigh, a non-issue. And, the MCCA has overlapping jurisdiction in our neighborhood.

MCCA's Role Re: Car Parking. It is important for you to recognize that within the MCCA territory (including your lot and your neighbor's lot) the right of a homeowner to use his driveway as he wishes is recognized and respected. That is, the MCCA's own CCRs generally do not preclude various uses by a homeowner of his own private driveway, but there are certain exceptions. MCCA's CCR §7.1.4 provides a few exceptions, including commercial vehicles or vehicles "parked as a stored item". If



neither of these exceptional circumstances is present, then the homeowner is free to park any vehicle he wants on his driveway regardless of how large or unsightly the vehicle may be. A homeowner is not obliged to park his vehicles in his garage or anywhere else. He needs no reason for choosing to park his vehicles on his driveway (maybe he wishes to use his garage space to store things instead of covering his cars). It seems to us that the circumstances in this case are such that the level of persistent parking of the red truck is something other than one of the restricted exceptional circumstances. It seems that the truck is parked there by Ms. Van Eaton as an accommodation to her son. She is allowing him to park his car there while he is assigned on duty with the US Army out of the US. And the vehicle is available for Ms. Van Eaton's own use in the meantime, and she does in fact use it from time to time. It does not seem to us that the MCCA would find this sort of use to be forbidden.

Amberleigh's Role Re: Landscaping. The Amberleigh CCRs do indeed authorize and direct the HOA to take control of and be responsible for all of the landscaping located between the homes and the streets. This area includes the planting strips located between private driveways, like the one between your driveway and your neighbor's driveway. Amberleigh has resolved a Landscape Plan; one that is based on landscape design principles and one that can and will evolve over time. It is currently part of the Landscape Plan to avoid having 'tall' plantings placed in the inter-driveway planter zones. The current plantings are consistent with the current landscape plan. It is for this reason that your recent request to plant something there that would be tall enough to screen out any car located on the other driveway was denied. If and when we determine that the plantings in any other similar inter-driveway planting zone are or may becoming too-tall, then we will direct our landscapers to take corrective action. The zone you indicated (lot 79) as containing four foot (approx) plants has been reviewed, and we do not feel that those plantings are too-tall; they are not in need of correction, and thank you for bringing that question to our attention. We again respectfully decline to accept your request that Amberleigh should change the plantings beside your driveway.

We understand that this position will not be what you hoped for. We ask that you should recognize that we have taken your comments seriously, and that we have made a thoughtful evaluation of the questions presented, and that our conclusions are reasonable, even if not to your own liking. Consider another possibility.

Homeowner requests for Planting Changes. Even though the HOA does not see any need to adjust your plantings, it is possible for a homeowner to arrange for and pay for changes that the HOA does not consider necessary. In such cases, the homeowner must first present specific plans showing the new plantings being proposed. The HOA will consider such a plan, and if it is determined to be consistent with the overall area landscape plan (like not being too-tall), and if other affected homeowners agree, then the homeowner can be authorized to implement the plan and bear all costs.

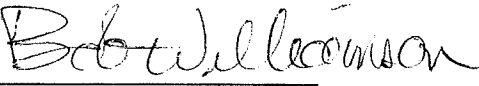
In your case, should you be interested in making such a proposal, you should consider (i) that the truck may not be there much longer, (ii) it is unlikely that any new plantings



would provide much more screening effect than the current plants, and (iii) it is not clear how your neighbor would feel about the proposal.

Sincerely,

Amberleigh Homeowners' Association

By:   
Bob Williamson, Secretary

---

<sup>i</sup> There is an exception to this general statement. Amberleigh's CCR §6.3 provides that cars may not be parked on the common access easement areas that serve multiple homes, i.e. in the quad configurations. In comparison, the driveways between Lots 26 and 27 are fully private driveways and they are not subject to this exception.



LOT 26

## HuffmanDesign

---

**From:** Jon Erickson [kerickso@comcast.net]  
**Sent:** Thursday, September 18, 2008 6:46 AM  
**To:** 'HuffmanDesign'; 'Tony Munko'  
**Subject:** RE: Martin Complaint

Bob: That sounds ok to me. Hopefully this will solve the problem, also the minutes and roof report look good.  
Thanks good job.  
Jon

---

**From:** HuffmanDesign [mailto:HuffmanDesign@comcast.net]  
**Sent:** Wednesday, September 17, 2008 9:01 PM  
**To:** 'Tony Munko'; 'Jon Erickson'  
**Subject:** Martin Complaint

Guys: See the attached draft response letter. I suggest that this be sent. Your comments please.





LOT 26

Amberleigh Homeowners' Association  
c/o Bob Williamson, Secretary  
16326 – 17<sup>th</sup> Ave. S.E.  
Mill Creek, WA 98012

September 17, 2008

*Draft*

Jim Martin  
1715 – 163<sup>rd</sup> St. S.E.  
Mill Creek, WA 98012

**Re: Complaint re: Truck Parking & Planting Request Denial**

Dear Jim:

The Amberleigh Directors received your letter dated 9/16/08 requesting a reconsideration of our earlier denial of your request to have taller plants placed into the planter zone between your driveway and the driveway next door. We have reconsidered the issues you addressed. There are several distinct questions you raised, and I will address each one separately.

Amberleigh's Role Re: Car Parking. It is important for you to recognize that Amberleigh is an association created with limited powers. Homeowners reserve to themselves all property rights, except those that are specifically relinquished by a binding covenant. Our CCRs define the limits of the subjects that are within the scope of our own HOA's sphere of control or regulation. Our Amberleigh CCRs do not establish any use restrictions that pertain to the parking of cars on driveways<sup>1</sup>. This means that Amberleigh has zero authority to tell any Amberleigh homeowner what uses he can or can not make of his own private driveway, whether we like it or not. In other words, each Amberleigh homeowner has the right and privilege to use his private driveway any way he wants (unless some other restriction comes into play). For example, he is free to park vehicles on his driveway, regardless of how large or unsightly they may be. Amberleigh has no rules that can conceivably provide a basis for the Amberleigh HOA or any homeowner to seek to interfere with that homeowner's right. Your complaint addressed to Amberleigh is, therefore, a little out of place. The issue is none of our business. It is for this reason that we previously advised you that this is, for Amberleigh, a non-issue. And, the MCCA has overlapping jurisdiction in our neighborhood.

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large or unsightly the vehicle may be. A homeowner is not obliged to park his vehicles in his garage or anywhere else. He needs no reason for choosing to park his vehicles on his driveway (maybe he wishes to use his garage space to store things instead of covering his cars). It seems to us that the circumstances in this case are such that the level of persistent parking of the red truck is something other than one of the restricted exceptional circumstances. It seems that the truck is parked there by Ms. Van Eaton as an accommodation to her son. She is allowing him to park his car there while he is assigned temporarily on duty with the US Army out of the US. And the vehicle is available for Ms. Van Eaton's own use in the meantime, and she does in fact use it from time to time. It does not seem to us that the MCCA would find this sort of use to be forbidden.

*when return*

Amberleigh's Role Re: Landscaping. The Amberleigh CCRs do indeed authorize and direct the HOA to take control of and be responsible for all of the landscaping located between the homes and the streets. This area includes the planting strips located between private driveways, like the one between your driveway and your neighbor's driveway. Amberleigh has resolved a Landscape Plan; one that is based on landscape design principles and one that can and will evolve over time. It is currently part of the Landscape Plan to avoid having 'tall' plantings placed in the inter-driveway planter zones. It is for this reason that your recent request to plant something there that would be tall enough to screen out any car located on the other driveway was denied. If and when we determine that the plantings in any other similar inter-driveway planting zone are or may becoming too-tall, then we will direct our landscapers to take corrective action. The zone you indicated as maybe containing too-tall plants has been reviewed, and we do not feel that those plantings are too-tall; they are not in need of correction, and thank you for bringing that question to our attention. We again respectfully decline to accept your request that taller plants be planted beside your driveway, and you do not have permission to adjust or replace the plants currently in that location.

*— true?*

We understand that this position will not be what you hoped for. We ask that you should recognize that we have taken your comments seriously, and that we have made a thoughtful evaluation of the questions presented, and that our conclusions are reasonable, even if not to your own liking.

Sincerely,

Amberleigh Homeowners' Association

By: \_\_\_\_\_  
Bob Williamson, Secretary

<sup>i</sup> There is an exception to this general statement. Amberleigh's CCR §6.3 provides that cars may not be parked on the common access easement areas that serve multiple homes, i.e. in the quad configurations. In comparison, the driveways between Lots 26 and 27 are fully private driveways and they are not subject to this exception.





## ARTICLE VII

## RESTRICTIONS ON USE OF PROPERTY BY OCCUPANTS

7.1 Use Restrictions: The following restrictions shall be applicable to the use of any property subject to this Declaration:

ANIMALS

7.1.1 No animal or fowls shall be raised, kept or permitted upon the properties or any part thereof, excepting only domestic dogs or cats, not to exceed a total of three (3), and excepting caged pet birds, kept within the dwelling house provided said dogs, cats and pet birds are not permitted to run at large and are not kept, bred or raised for commercial purposes.

7.1.2 No part of the properties shall be used for the purpose of exploring for, taking therefrom or producing therefrom gas, oil or other hydrocarbon substances.

NUISANCE

7.1.3 No noxious or offensive activity shall be carried on upon the properties or any part thereof, nor shall anything be done or maintained thereon which may be or become an annoyance or nuisance to the neighborhood or detract from its value as a high-class residential district. Prohibited activity shall include, without limitation:

## YARD MAINTENANCE

improperly maintained yards, including mowing, fertilizing, watering, edging, and weeding (to include all areas within the property line)

failure to maintain trees and shrubs, including trimming and watering to retain a landscaped appearance

failure to remove weeds, errant grass, dead vegetation, etc. from landscaping

failure to remove dead trees, tree stumps, if left intact, to be aesthetically incorporated into landscaping plans

## FENCES AND PAINTED SURFACES

failure to replace rotted posts and/or defective boards

failure to replace or reattach loose boards

failure to clean and/or replace discolored, aged, raw wood

failure to maintain painted surfaces that have become water stained, peeled or blistered, faded, uneven, blotched or weathered

## SPORTS EQUIPMENT, SURFACES

failure to maintain equipment, sports court surfaces, swimming pools, basketball hoops, etc. in proper working order and acceptable in appearance

## CORDWOOD AND STORED ITEMS

storage of cordwood in any area visible from street view

storage of debris, lawnmowers and mechanical equipment, discarded items directly in view from street and neighboring properties (i.e. in view from front/side windows)

## PAVED SURFACES, DRIVEWAYS, ETC.

failure to keep driveways, patios, sidewalks, etc. clean of debris and/or moss and mildew growth

failure to keep roofs and gutters cleaned and/or treated for moss and plant growth

7.1.4 It shall be the duty of the owner or occupant of any building site to improve and maintain in proper condition the area between the property line of said building site and the nearest curb or improved street, including installing and maintaining parking bays within said area. The following restrictions apply to vehicles and recreational vehicles:

## VEHICLES

vehicles, commercially licensed or not, bearing visible work related equipment and/or apparatus for attachment of work related equipment shall not be parked or stored in the driveway or on the properties

vehicles with logos, advertising, or wording other than those of the car manufacturer shall not be parked or stored in the driveway or on the properties

vehicles cannot remain in/on driveways or streets loaded with trees, trash, or debris

vehicles cannot be stored permanently, or parked as a stored item

unmaintained, damaged, neglected, rusted, or aesthetically unappealing vehicles are not permitted parked or stored in the driveways or on the properties

## RECREATIONAL VEHICLES

Permitted 24 hours before and 24 hours after a trip, for loading and unloading purposes on an occasional basis.

"Occasional" has been defined as two times per month. Security is to be notified.

## BOATS, CAMPER TOPS, TRAILERS, ETC.

parking and/or storage of boats, trailers, camper tops, etc. in any area of the property visible from streets, neighboring properties, recreational areas or common areas is prohibited

TREES

7.1.5 No owner or occupant shall remove or significantly alter any tree in any street, right-of-way, park or recreational area or other part of the common properties or properties unless permission in writing is first granted by the Association.

7.1.6 No garbage, refuse or rubbish shall be deposited or kept on any lot or building unit except in a suitable container. Loose garden trash that is required to be placed at a designated point in order to be collected may be placed and kept at such designated point for periods not to exceed twenty-four (24) hours. All areas and equipment for storage and disposal of such materials shall be kept in a clean and sanitary condition. The following rules apply to the collection and storage of garbage, yardwaste and recycling materials: containers for storage of trash, yardwaste, recycling, etc. are to be stored in an area not directly in view from street and neighboring properties containers are to be returned to the storage site within 24 hours of pickup and stored properly between pickup days containers are to be emptied on a routine basis to avoid health and safety concerns

CLEARING

7.1.7 Grading, clearing, removal or cutting of natural vegetation and/or stumps shall not be permitted without prior written approval of the Architectural Control Committee.

7.1.8 At the time the certificate of occupancy is issued, it shall be the duty of the owner or occupant of any building on private property to connect all roof drains and area storm drains on this property to the public or primary storm sewer system unless the Architectural Committee deems such connection to be unnecessary. Exposed curb connections should be screened from public view.

7.1.9 It shall be the duty of the owner of any building site to landscape his property within one year from the date of final building inspection or within six months of first occupancy of the structure, whichever occurs first. This includes the entire property (front, back, and side yards) and may include grass, plantings, shrubs, trees, rocks, ivy, bark, chips, etc. Exposed dirt is not acceptable.

## ARTICLE VIII

## ARCHITECTURAL CONTROL COMMITTEE

8.1 Architectural Control Committee: The Board of Directors shall appoint an Architectural Control Committee of three (3) or more persons, one of whom must be a licensed Architect, who need not be members of the Association, which Committee may act for the Board to the extent set



## HuffmanDesign

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**From:** Jon Erickson [kerickso@comcast.net]  
**Sent:** Tuesday, September 16, 2008 7:06 PM  
**To:** huffmandesign@comcast.net; 'Munko Tony & Vera'; 'Beaumont Michael & Diana'  
**Subject:** FW: Formal Complaint of James Martin, Lot 26

It just never ends. Haven't got the hard copy but I'll forward to each of you when it arrives.  
Jon

---

**From:** Seattlejimmie@aol.com [mailto:Seattlejimmie@aol.com]  
**Sent:** Tuesday, September 16, 2008 10:32 AM  
**To:** kerickso@comcast.net  
**Subject:** Formal Complaint of James Martin, Lot 26

Dear Jon,

Per my previous email, I am attaching an electronic copy of my formal complaint to the Amberleigh Board regarding the large red truck permanently parked in the driveway of lot #27. I will also deliver a hard copy of this complaint, with pictures and signed by me, to your home later today.

Please present this complaint to the Board and let me know the Board's response. I am willing to join the discussion with the Board, if desired.

Thank you,

Jim Martin, Lot #27

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Psssst...Have you heard the news? [There's a new fashion blog, plus the latest fall trends and hair styles at StyleList.com.](#)





## Complaint by James Martin, Lot #26, to Amberleigh Board of Directors

September 16, 2008

OK  
Note: This written complaint is made as provided for in Paragraph 3.2 of the Rules and Regulations of the Amberleigh Home Owner's Association, dated December 15, 2000.

### The Complaint

No.  
Since 2002 when the Martins purchased their home in Amberleigh, a **large red truck** has been permanently parked in the adjacent driveway of Lot #27, owned by Suzan Van Eaton. It has been moved rarely, sometimes not at all for months and other times as rarely as once per month. Due to its size, it dominates the view from the entire south side of the Martin's residence. From 2002 to 2006, Ms. Van Eaton several times mentioned to Jim Martin the she was "going to clean out the garage so she could park the truck there" but never did. Since December 2006, Jim Martin talked to Ms. Van Eaton several times about moving the truck and she committed to moving it but never did. She told Jim Martin that it was not even her truck, that it belonged to her son who was in the military. a storage

"Consistently stored"?  
problem.  
unless comm. vehicle.  
not a prob.

1c.  
our opinion: "not storage"  
In the summer of 2008, Jim Martin asked Mike Beaumont if he could arrange for a landscaping project to plant 5/6 ft. high shrubs between the 2 driveways in order to shield the truck view with greenery instead. This proposal was only made in order to eliminate the need for a formal complaint to the Board. Mike agreed to discuss this project with the Board. I then received a written response from the Board to my Proposal to plant screening plants, dated July 21, 2008, denying my landscaping proposal. In late July, Mr. Jon Erickson agreed to visit Ms. Van Eaton and discuss this issue. He did visit her and informed me on August 4 that her truck is well maintained, clean and periodically driven, that she has every right to park in her driveway and that the Board feels this is a non-issue.

cf. AMB with? a rec'd Rule!

I believe that the Board's July 21 letter to me conveys two specific guidelines, as provided in paragraph 2.3 of the Amberleigh Rules and Regulations as follows:

1. "The directors feel that tall plantings between driveways (tall enough to screen vehicles) would be unsightly". I believe that any reasonable

TALL IS BAD  
in inter driveway  
plantings.

1a. cf. Rth to park ugly cars Respected! open space!



person would agree that this large red truck is more unsightly than plantings and therefore violates the Amberleigh Rules as defined by the Board.

2.a-1  
diff topic  
wrong.

2. "such tall screens would detract from an open appearance." I believe that any reasonable person would agree that this large red truck detracts more from an open appearance than plantings and therefore violates the Amberleigh Rules as defined by the Board.

wrong.

The Board's July 21 letter to me is also inaccurate when it states "and that look would not be consistent with other similar driveway plantings". The exact planting that I asked for in place between 1825 and 1833 163<sup>rd</sup> Place!

true?

I have always respected the excellent work done by members of the Board for our community. I am asking that the Board reconsider its decisions on this matter so that my wife and I might have "the maximum enjoyment of the neighborhood" as stated in the Amberleigh Rules and Regulations.

Thank you.

reinforce!

James Martin

cc: pictures



LOT 26

AMBERLEIGH HOMEOWNERS' ASSOCIATION

c/o 16326 - 17<sup>th</sup> Ave. S. E.

Mill Creek, WA 98012

Tel: (425) 338-2242

July 21, 2008

Jim Martin  
Lot 26  
1715 - 163<sup>rd</sup> St. S.E.  
Mill Creek, WA 98012

**Re: Proposal to plant screening plants between driveways**

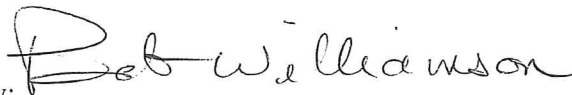
Dear Jim:

At the last Amberleigh Directors' meeting several homeowner inquiries were discussed, including yours. Mike Beaumont reported that you were annoyed about your neighbor's parking of a vehicle on her driveway, and you inquired if the HOA would approve of a plan to plant some taller plants in the small planting strip between the two driveways - to provide screening from the perspective of your lot.

Your neighbor, like all homeowners, is entitled to park vehicles on her driveway (except for a few exceptions - MCCA §7.1.4). The Directors feel that tall plantings between driveways (tall enough to screen vehicles) would be un-sightly, i.e. such tall screens would detract from an open appearance, and that look would not be consistent with other similar driveway plantings. The Directors would not approve such a plan.

Very Truly Yours,

Amberleigh Homeowners' Association

By:   
Robert P. Williamson, Secretary





LOT 26

## HuffmanDesign

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**From:** Seattlejimmie@aol.com  
**Sent:** Wednesday, September 24, 2008 1:46 PM  
**To:** huffmandesign@comcast.net  
**Subject:** Amberleigh HA Letter of September 20

Dear Bob Williamson,

Thank you for your letter of September 20. You were correct in stating that your position is not what I had hoped for. Additionally, I am disappointed that I was not offered an opportunity to discuss this matter with the Board as I had offered in my complaint. For the record, I think it is irresponsible of the Board to state that homeowners may park any vehicle they want in their driveway except for commercial vehicles or "stored items". Imagine our community filled with buses, golf carts, unsightly cars and vehicles on cinder blocks etc. You also seem to state that this truck does not constitute "stored items" even though it has been on that driveway for over 6 YEARS and only moves 45 MINUTES per MONTH.

In conclusion, I feel the Board has not acted properly on my behalf and on behalf of all Amberleigh homeowners. Please share these comments with all Board members

Sincerely,

Jim Martin

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